

Notice of Allowability

Application No.

10/806,870

Examiner

Christine T. Cajilig

Applicant(s)

RIVERS ET AL.

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed 6/29/07.
2. ☒ The allowed claim(s) is/are 1,2,4-10 and 14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 8/14/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Election/Restrictions

This application is in condition for allowance except for the presence of claims 3, and 11 directed to Species 1 and 2 non-elected without traverse. Accordingly, claims 3 and 11 have been cancelled.

Oath/Declaration

Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth in this communication. The substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability" (PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the date of the "Notice of Allowance" (PTOL-85) and the application number in the upper right hand corner.

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

(1) It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

(2) It does not identify the citizenship of each inventor.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Scott Zimmerman on August 15, 2007.

The application has been amended as follows:

In the claims (filed on 6/29/07):

On claim 1, lines 5-6: delete "triangular shaped lip" and replace with "—bent, flat lip—" for clarification.

On claim 1, line 6: delete "the lower siding panel" and replace with "—an upper siding panel—" for clarification.

On claim 1, line 7: delete "the upper siding panel" and replace with "—a lower siding panel—" for clarification.

On claim 1, line 10: delete "a wire channel" and replace with "—the wire channel—" for clarification.

On claim 1, lines 12-13: delete "the upper hook" and replace with "—a lower hook—" for clarification.

On claim 1, line 14: delete "lower siding panel" and replace with "—upper siding panel—" for clarification.

Art Unit: 3637

On claim 1, line 18: delete "an open" and replace with "—the open—" for clarification.

On claim 1, line 20: delete ":" and replace with "—;—" to correct a typographical error.

On claim 1, line 21: delete "a flat lip" and replace with "—said bent, flat lip—" for clarification.

On claim 1, line 22: delete "transverse leg" and replace with "—the outer surface of the arm—" for clarification.

On claim 1, line 24: delete "the exterior surface" and replace with "—the wire channel device—" for clarification.

Claim 3: --cancelled--

On claim 5, line 4: delete "device" and replace with "—section—" for clarification.

On claim 5, line 5: delete "device" and replace with "—section—" for clarification.

On claim 5, line 5: insert "—section—" between "channel" and "snap fits" for clarification.

On claim 5, line 6: insert "—section—" between "channel" and "." for clarification.

On claim 6, line 4: delete "device" and replace with "—section—" for clarification.

On claim 6, line 5: delete both occurrences of "device" and replace both occurrences with "—section—" for clarification.

On claim 6, line 6: delete "device" and replace with "—section—" for clarification.

Claim 11: --cancelled--

Claim 12: --cancelled--

Claim 13: --cancelled--

Claim 14, line 1: insert “—a material of—” between “wherein” and “the wire channel” for clarification.

Claim 14, line 2: delete “comprises at least one of the following materials:” and replace with “—is selected from the group consisting of: —” for clarification.

The following is an examiner's statement of reasons for allowance: None of the prior art alone or in combination, teaches, discloses, or suggests Applicant's invention of a wire channel device in combination with an upper siding panel and a lower siding panel comprising an upwardly extending arm having a top portion, a bottom portion, an inner surface, and an outer surface, the outer surface of the top portion having a **bent, flat lip wedged between a bottom lip of an upper siding panel and between an upper hook of a lower siding panel**; a transverse leg outwardly extending from the outer surface of the bottom portion of the arm towards a downwardly extending leg of the wire channel the transverse leg extending at a right angle from the outer surface of the bottom portion of the arm and **the transverse leg having a width that is the same as a width of a lower hook of the upper siding panel, such that the transverse leg is parallel to a bottom surface of the upper siding panel**; the wire channel having the downwardly extending leg, a channel portion, and a rear upwardly extending leg, the downwardly extending leg having a longer length than the rear upwardly extending leg such that an open passageway is formed between an end portion of the rear upwardly extending leg and the transverse leg, thus creating the open passageway through which

Art Unit: 3637

a wire may pass into an interior channel of the channel portion; **a pair of upwardly extending arms with each arm having said flat lip, the flat lip having an interior angle relative to the outer surface of the arm of fifteen degrees;** and an exterior surface matching the upper siding panel and the lower siding panel, **the wire channel device having a plurality of sections mated and aligned together,** wherein the interior channel supports and secures the wire and helps to protect the wire from wildlife and environmental risks.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine T. Cajilig whose telephone number is (571) 272-8143. The examiner can normally be reached on Monday - Friday from 9am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CTC/
8/15/07

LANNA MAI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

